

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation or)	
)	
Suspension of the Educator)	
)	
Certificate of)	ORDER OF SUSPENSION
)	
Jennifer Waite,)	(BREACH OF CONTRACT)
)	
Certificate 219445)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this certificate suspension matter on March 8, 2005. On November 30, 2004, the South Carolina Department of Education (Department) sent Ms. Jennifer Waite a notice of her right to a hearing before the State Board concerning the possible suspension of her South Carolina educator certificate number 219445 by certified mail, return receipt, restricted delivery, and regular mail. Ms. Waite received the notice as evidenced by a postal receipt. Ms. Waite first requested a hearing, but subsequently withdrew her request on February 24, 2005. After considering the evidence presented, the State Board voted to suspend Ms. Waite's certificate for one year.

FINDINGS OF FACT

Ms. Waite holds a South Carolina certificate with over two years of teaching experience. Ms. Waite entered into a contract on May 4, 2004, with Spartanburg County School District Two (District) for the 2004-2005 school year as a first grade teacher at Carlisle-Fosters Grove Elementary. On October 11, 2004, Ms. Waite notified her principal that her last day of employment would be October 22, 2004. The District Superintendent wrote Ms. Waite on October 20, 2004, advising her that her resignation could not be accepted until a suitable replacement was found, and that she was in breach of her contract. Ms. Waite did not return to her duties. On November 9, 2004, the Spartanburg County

School District Two Board of Trustees voted to request that the State Board of Education take action on Ms. Waite's certificate for breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Ms. Waite breached her contract with the Spartanburg County School District Two, warranting the suspension of Ms. Ward's educator's certificate 219445 for a period of one year, from March 8, 2005, through March 9, 2006. Should Ms. Waite wish to have her certificate reinstated at the end of the suspension period, she may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester

Chair

Columbia, South Carolina

March 8, 2005